24th Congress, 2d Session. [Doc. No. 35.] Ho. of Reps. Executive.

CONDITION OF TEXAS.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

Upon the subject of the political, military, and civil condition of Texas.

December 22, 1836.

Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States:

During the last session, information was given to Congress by the Executive, that measures had been taken to ascertain "the political, military, and civil condition of Texas." I now submit, for your consideration, extracts from the report of the agent who had been appointed to collect it, relative to the condition of that country.

No steps have been taken by the Executive towards the acknowledgment of the independence of Texas; and the whole subject would have been left without further remark on the information now given to Congress, were it not that the two Houses, at their last session, acting separately, passed resolutions "that the independence of Texas ought to be acknowledged by the United States, whenever satisfactory information should be received that it had in successful operation a civil government, capable of performing the duties, and fulfilling the obligations, of an independent power." This mark of interest in the question of the independence of Texas, and indication of the views of Congress, make it proper that I should, somewhat in detail, present the considerations that have governed the Executive in continuing to occupy the ground previously taken in the contest between Mexico and Texas.

The acknowledgment of a new state as independent, and entitled to a place in the family of nations, is at all times an act of great delicacy and responsibility; but more especially so, when such state has forcibly separated itself from another, of which it had formed an integral part, and which still claims dominion over it. A premature recognition, under these circumstances, if not looked upon as justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit to one of the contending parties. All questions relative to the government of foreign nations, whether of the old or the new world, have been treated by the

Blair & Rives, printers.

United States as questions of fact only, and our predecessors have cautiousl abstained from deciding upon them, until the clearest evidence was i their possession, to enable them not only to decide correctly, but to shiel their decisions from every unworthy imputation. In all the contests tha have arisen out of the revolutions of France, out of the disputes relatin to the crowns of Portugal and Spain, out of the revolutionary movement in those kingdoms, out of the separation of the American possessions c both from the European Governments, and out of the numerous and con stantly occurring struggles for dominion in Spanish America, so wisel consistent with our just principles has been the action of our Governmen that we have, under the most critical circumstances, avoided all censur and encountered no other evil than that produced by a transient estrange ment of good will in those against whom we have been, by force of ev dence, compelled to decide.

It has thus been made known to the world that the uniform policy and pra tice of the United States is, to avoid all interference in disputes which merel relate to the internal government of other nations, and eventually to recog nise the authority of the prevailing party, without reference to our parti ular interests and views, or to the merits of the original controversy. Pul lic opinion here is so firmly established and well understood in favor c this policy, that no serious disagreement has ever arisen among ourselv in relation to it, although brought under review in a variety of forms, an at periods when the minds of the people were greatly excited by the agit tion of topics purely domestic in their character. Nor has any delibera inquiry ever been instituted in Congress, or in any of our legislative bodie as to whom belonged the power of originally recognising a new state— power, the exercise of which is equivalent, under some circumstances, t a declaration of war—a power no where expressly delegated, and onl granted in the constitution, as it is necessarily involved in some of the gre powers given to Congress; in that given to the President and Senate to for treaties with foreign powers, and to appoint ambassadors and other publ ministers; and in that conferred upon the President to receive ministe from foreign nations.

In the preamble to the resolution of the House of Representatives, it distinctly intimated that the expediency of recognising the independen of Texas should be left to the decision of Congress. In this view, on th ground of expediency, I am disposed to concur: and do not, therefor consider it necessary to express any opinion as to the strict constitution right of the Executive, either apart from, or in conjunction with, the Se ate over the subject. It is to be presumed that on no future occasion w a dispute arise, as none has heretofore occurred, between the Executive ar Legislature, in the exercise of the power of recognition. It will always b considered consistent with the spirit of the constitution, and most safe, th it should be exercised, when probably leading to war, with a previou understanding with that body by whom war can alone be declared, and b whom all the provisions for sustaining its perils must be furnished. I submission to Congress, which represents in one of its branches the Stat of this Union, and in the other the people of the United States, where the may be reasonable ground to apprehend so grave a consequence, wou certainly afford the fullest satisfaction to our own country, and a perfe guaranty to all other nations of the justice and prudence of the measur which might be adopted.

In making these suggestions, it is not my purpose to relieve myself from the responsibility of expressing my own opinions of the course the interests of our country prescribe, and its honor permits us to follow.

It is scarcely to be imagined that a question of this character could be presented, in relation to which it would be more difficult for the United States to avoid exciting the suspicion and jealousy of other powers, and maintain their established character for fair and impartial dealing: but on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.

In the contest between Spain and her revolted colonies, we stood aloof, and waited, not only until the ability of the new States to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not till then, were they recognised. Such was our course in regard to Mexico herself. The same policy was observed in all the disputes growing out of the separation into distinct Governments of those Spanish American States, who began or carried on the contest with the parent country, united under one form of government. We acknowledged the separate independence of New Granada, of Venezuela, and of Ecuador, only after their independent existence was no longer a subject of dispute, or was actually acquiesced in by those with whom they had been previously united. It is true that, with regard to Texas, the civil authority of Mexico has been expelled, its invading army defeated, the chief of the republic himself captured, and all present power to control the newly organized Government of Texas annihilated within its confines. But, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Mexico. The Mexican republic, under another Executive, is rallying its forces under a new leader, and menacing a fresh invasion to recover its lost dominion. Upon the issue of this threatened invasion the independence of Texas may be considered as suspended; and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have heretofore held ourselves bound to treat all similar questions. But there are circumstances in the relations of the two countries which require us to act, on this occasion, with even more than our wonted caution. Texas was once claimed as a part of our property; and there are those among our citizens who, always reluctant to abandon that claim, cannot but regard with solicitude the prospect of the re-union of the territory to this country. A large proportion of its civilized inhabitants are emigrants from the United States; speak the same language with ourselves; cherish the same principles, political and religious; and are bound to many of our citizens by ties of friendship and kindred blood; and, more than all, it is known that the people of that country have instituted the same form of government with our own, and have, since the close of your last session, openly resolved on the acknowledgment, by us, of their independence, to seek for admission into the Union as one of the Federal States. This last circumstance is a matter of peculiar delicacy, and forces upon us considerations of the gravest character. The title of Texas to the territory she claims is identified with her independence: she asks us to acknowledge that title to the territory, with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly,

to the imputation of seeking to establish the claim of our neighbors to territory, with a view to its subsequent acquisition by ourselves. Prudenc therefore, seems to dictate that we should still stand aloof, and maintain o present attitude, if not until Mexico itself, or one of the great foreign po ers, shall recognise the independence of the new Government, at least un the lapse of time or the course of events shall have proved, beyond cavil dispute, the ability of the people of that country to maintain their separ sovereignty, and to uphold the government constituted by them. Neith of the contending parties can justly complain of this course. By pursui it, we are but carrying out the long established policy of our Governmer a policy which has secured to us respect and influence abroad, and inspi confidence at home.

Having thus discharged my duty, by presenting, with simplicity a directness, the views which, after much reflection, I have been led t take of this important subject, I have only to add the expression of m confidence, that if Congress shall differ with me upon it, their judgme will be the result of dispassionate, prudent, and wise deliberation; with t assurance that, during the short time I shall continue connected with t Government. I shall promptly and cordially unite with you in such m sures as may be deemed best fitted to increase the prosperity and perpetu the peace of our favored country.

ANDREW JACKSON

WASHINGTON, *December* 21, 1836.

VELASCO, TEXAS, *August* 13, 183

To the Hon. JOHN FORSYTH,
Secretary of State:

SIR: As far as opportunities have permitted, since my arrival in Tex I have made inquiries upon the various subjects referred to in your le of instructions, but am only able at this time to furnish the following i formation. The present Government is in operation, by virtue of an o nance organizing an Executive Government *ad interim*, to consist President, Vice President, Secretary of State, Treasury, War, and Na passed by a convention of delegates in March last, immediately after adoption of the constitution of the 17th of that month. The administra is to continue until a new arrangement shall be made by the approach Congress in September, as provided under the constitution. I have seen the ordinance referred to, as the original is at Columbia, and no p lication of it has yet been made: my next despatch will probably con a copy of it.

The attention of the Government seems to be directed at this mon almost exclusively to the increase and discipline of the army. I am formed that the troops now in the field amount to two thousand men, u the command of General T. J. Rusk; five hundred men of this force cavalry, under the immediate command of Brigadier General Huston, occupies a position on the river Nueces, at or near San Patricio, on Matamoras road. Two companies of mounted men are at San Antoni Bexar, to cover that place from the incursions of the Indians. The bal of the army is encamped on the Coleto creek, between the Guadalup Victoria and Goliad, about fifteen miles east of the latter place. The

inhabitants, it is said, are at home, attending to their crops; but are organized, so as to be ready for the field at a moment's warning. Besides this number, the authorities here state that there are about six hundred men, composed of various corps of volunteers, encamped at different points, or on the march between this place and the head-quarters of the army; all of whom can be incorporated into it at any time, if necessary. Finding that these forces were collecting in the neighborhood of the Rio del Norte, and knowing that our merchants had a large interest in the commerce in that direction, which might be put in jeopardy by a successful investment of of Matamoras, I waived, for the present, any farther inquiry into the political condition of the country, and directed my attention to the latter subject.

During the absence of Major General Samuel Houston, the command of the army devolves upon Brigadier Genera. Rusk, who is now in command. Brigadier General T. J. Green and Brevet Brigadier General Felix Huston are the principal field officers under General Rusk.

The vessels to be employed will consist of the Invincible, carrying eight port guns and one pivot nine pounder: the Brutus, of the same force; the Independence, carrying eight guns; and the Liberty, of three; the latter being now under repair.

Within the last month, the emigrants have increased by several hundred, many having arrived in the schooners Flora, Passaic, and Julius Cæsar, and the brig Good Hope; besides settlers over land by the Nacogdoches road.

General Santa Anna is now at Orazimba, opposite Bolivia, on the Brazos river, and about forty-five miles above this place. He was removed there from Columbia about two weeks since, and is guarded by a company of troops under the command of Captain Patton.

So far as an opinion can be formed, from the present indications of public sentiment, as to what disposition will be made of that officer, it is probable he will be finally disposed of in some way by the next Congress of Texas: some of the candidates for Congress have pledged themselves, if elected, to advocate the *trying* him as a murderer.

Colonels Almonte and Nunez, and Mr. Carro, the latter his private secretary, are with General Santa Anna.

There are forty-eight Mexican officers, and near six hundred men prisoners, at and near Galveston, besides a few in this place. I examined in Quintano many of the arms taken at the battle of San Jacinto, and am not surprised that the Mexicans were defeated, as the muskets are of Spanish make, and appear to have been worthless many years ago. If the weapons to be used by those in any future battle should be such as these, the predictions of the Texans that they will succeed in the same proportion as in their last victory, may be readily fulfilled, without any reproach upon the patriotism or bravery of their enemy.

In a few days I shall proceed to the interior to collect from personal observation the materials for a more systematic despatch.

I have the honor to be,
Your obedient servant,
HENRY M. MORFIT.

Velasco, Seat of Government, Texas,
August 22, 1836.

To the Hon. John Forsyth,
Secretary of State:

Sir: The present political condition of Texas has been produced by a series of alleged aggressions upon the laws of colonization; a refusal upon the part of Mexico to protect the colonial settlements from the depredations of the Indian tribes; by laws excluding citizens of the United States of the north from admission into the country; by a refusal to incorporate this province into the federal system, as provided by the constitution; and, finally, by the establishment of a central or consolidated Government, and the destruction of the constitution itself. Such are the reasons assigned by the old inhabitants with whom I have conversed, for the separation of this State from Mexico.

The history of the events leading to the revolution, as I find it in the public documents, is this: In 1824 a convention was held by representatives from all the provinces, and a federal system and constitution adopted, by which all Mexico became a republic. Texas at that time did not contain the required population to become a State, but was provisionally united with the neighboring province of Coahuila, to form the State of Coahuila and Texas until the latter should possess the necessary elements to form a separate State for herself. This law was understood and intended to guaranty to the latter a specific political existence, as soon as she should be in a condition to exercise it.

In 1833, the inhabitants having ascertained that their numbers were equal to most, and exceeded several, of the old States, and that the resources of the country were such as to constitute the required elements for a State, they held a convention and formed a constitution upon the principles of that of the Mexican republic. This was presented to the General Congress, with a petition to be admitted into the Union. The application was rejected, and the delegate imprisoned.

In 1834, the constitutional Congress was dissolved by a military order of the President, Santa Anna, before the expiration of its appointed term, and in the following year a new Congress was assembled by virtue of another military order, which is said to have been "aristocratical, ecclesiastical, and central in its politics." Numerous applications were made by meetings of the citizens and by some of the State Legislatures to restore the constitution and Federal Government, and protests were presented against the subversion of the laws; but they were disregarded, and in many instances the authors were persecuted and imprisoned.

The Central Government deposed the constitutional Vice President without trial; elected another in his place; united the Senate and House of Representatives in one chamber; and, thus constituted, declared itself invested with all the powers of a legitimate convention. Under this assumption, it abolished the federal constitution, and established a consolidated Government.

In September, 1835, General Cos invaded the province of Texas by land, with orders to disarm the citizens, and to require an unconditional submission to the central military Government, under penalty of expulsion from the country. At the same time, all the ports were declared to be in a state of blockade; and a military force having been sent to Gonzales

to require from the citizens a surrender of their arms, a battle ensued, which terminated in the retreat of the Mexicans.

The Texans assert that this resistance was not because they even *then* wished to separate from the confederacy; but, on the contrary, because they were desirous to bring back the Government to the terms of the constitution of 1824.

They therefore held a convention at San Felipe, in November, 1835, composed of fifty-six representatives from all the municipalities, in which they declared, that, as Santa Anna and other military chieftains had by force of arms overthrown the federal institutions of Mexico, and dissolved the social compact which existed between Texas and the other members of the confederacy, they had taken up arms against the encroachments of military despots, and in defence of the constitution.

This was considered as an absolute separation from Mexico, and on the 2d of March, 1836, delegates of the people from all the districts declared Texas a "*free, sovereign, and independent State.*"

A provisional Government had already been formed under the convention of November, 1835, which continued until a general Congress met at Washington, on the Rio Brazos, on the day previous to the declaration of independence. This convention took place by writs of election issued by the provisional Government, and it is said that all parts of Texas were represented in it, from the extreme western settlement at San Patricio, on the Nueces, to the Sabine and Red rivers.

On the 17th of March, 1836, that convention unanimously adopted the present constitution, which, in the greater part, very nearly resembles that of the United States, and seems to have received the general approbation of the citizens.

The powers of the Government under that instrument are divided into legislative, executive, and judicial departments; the Representatives to be chosen annually, until Congress shall otherwise provide by law, and the Senators for the term of three years. The House of Representatives to consist of not less than twenty-four nor more than forty members, until the population shall amount to one hundred thousand souls; after which, the whole number shall not be less than forty nor more than one hundred. The Senate to be never less than one-third, nor more than one-half the number of Representatives.

The executive authority is vested in a chief magistrate, styled the President of the Republic of Texas. The first to hold his office for two years and all succeeding Presidents to be elected for three years, and be ineligible during the following terms.

The judicial powers are confided to one superior and such other courts as Congress may establish; the judges to hold their offices for four years, and be eligible to re-election.

Some of the peculiarities of this constitution are, that ministers of the Gospel shall not be elected to the executive office, nor to a seat in either branch of Congress.

That no holder of public money or collector thereof shall be entitled to a seat in the Legislature, until he shall have acquitted himself of all responsibility.

That the supreme court shall have appellate jurisdiction *only*, and no judge shall sit in a cause in the supreme court which shall have been tried by him in a court below.

That the judges are to be elected, by joint ballot of both Houses of Congress, for four years.

That the Executive shall not command the army or navy in person, without the authority of a resolution of Congress.

That all officers shall remain in office during the term of the President, unless sooner removed with the advice and consent of the Senate.

That Congress shall not have the power to emancipate slaves; nor shall any slave-holder be allowed to manumit, without the consent of the Legislature, unless he shall send the slave without the limits of the republic.

That no free person of African descent, either in whole or in part, shall be permitted to reside permanently in the republic, without the consent of Congress.

That the admission of negroes, except from the United States, is forever prohibited, and the importation of them declared to be piracy.

That no alien shall hold land, except by title direct from the Government, though their heirs may take by descent.

That perpetuities or monopolies are contrary to the genius of a free Government, and shall not be allowed.

That no appropriation shall be made for private or local purposes, unless two-thirds of each House shall concur.

That the President shall not renominate the same individual to office, after rejection by the Senate.

It also protects the public domain from donations made by the Legislature of Coahuila and Texas, to persons not citizens of the republic, and declares such grants to be fraudulent.

Although the constitution has been approved in its general features, it is probable an early attempt will be made to change it in several particulars, not involving the stability of the republic.

The period of service of the President is thought by some to be injudiciously limited to three years; as the frequent recurrence to election will too often divert the people from the pursuits of industry to political contests. The term of six years, and to be ineligible after, has been proposed as most likely to allay the feeling of party, secure stability to the Government, and repress the influence of the ambitious.

The independence of the judiciary has been discussed, and the propriety of changing both the election of the judges by the House of Representatives, and their continuance from four years to a tenure for life, it is supposed may be readily understood, when one of those intricate cases of *Empresario* grants is contested, which will involve the term of service of half a dozen judges, and require all the integrity which a permanence in office and personal disinterestedness can inspire. That part which declares the grants by the State, when annexed to Coahuila, void, will perhaps at some day be rescinded, without prejudice either to the Government or the demandants, as it prejudges questions purely of a legal nature, which should necessarily be left to the judicial forums. That restriction upon appropriations for local or private purposes, without the concurrence of two-thirds of each House of Congress, will be either changed to avoid sectional and personal prejudices, or the constitutional effect will be destroyed by a reciprocal interchange of influence and votes.

I have brought these points to your view, as they have been commented upon by intelligent citizens honorably interested in the cause of the coun-

ry, and because they are questions coming strictly within the letter of my instructions.

The Government *is now* administered *ad interim*, by virtue of an ordinance of the convention of the 17th March, 1836, which followed immediately after the adoption of the constitution. There is an anachronism as to that paper, which would make it seem to have been passed *before* the constitution; but that error arises from the circumstance that the date on which it was reported has been mistaken for that of its adoption, which followed that of the constitution, and on the same day.

This ordinance provides that the administration shall have ample powers to do whatever was contemplated to be done by the General Congress, excepting judicial acts; and makes the Government to consist of a President, Vice President, Secretary of State, Secretary of War, Secretary of the Navy, Secretary of the Treasury, and Attorney General, to be elected by the convention, and to continue until their successors shall be chosen and qualified.

The officers to constitute the Government *ad interim* were elected immediately by the convention; and, except where vacancies have been filled in the cabinet upon resignations, or appointments to other offices, the administration still continues as it was then created. The legislative part of the Government at this moment may be said to be in *abeyance*, as no provision is made for that branch of it by the convention previous to the meeting of Congress; but that will soon be in session, and its powers and the mode of its administration are defined by the constitution.

The executive department *ad interim* is administered by a President, as pointed out in the organic law of 17th March, 1836. The President and cabinet form an executive council; and, among other powers, have that to create a loan not exceeding one million of dollars, and to pledge the faith and credit of the republic and the proceeds of the sale of the public lands, for the re-payment of the same, with interest; to appoint commissioners to any foreign power; and to issue writs of election for Senators and Representatives at an earlier day than that fixed by the constitution, and to convene them as soon after the election as may be convenient.

The judicial department, as now partially exercised, consists of the municipal judges, alcaldes, and ayuntamientos of the old provisional Government, and the appointment of a judge under the present administration for admiralty causes in the district of Brazoria.

The judges are, however, restricted by a law of the provisional Government from all civil jurisdiction, except in claims against absconding debtors, where process of sequestration under the civil law, similar to writs of attachment with us, may issue against the property; but no process of *ne exeat*, nor any other proceeding *in personam* is admitted, except in criminal matters, of which the courts take cognizance as under the laws anterior to the revolution.

The alcaldes are merely nominal conservators of the peace, and have only authority in litigated actions to call the parties before them for imparlance or arbitration. The ayuntamientos were small corporations of the respective municipalities, into which the province was formerly divided, and had the regulation of the police. The jurisdiction of the alcaldes and that of the ayuntamientos is now scarcely or never invoked, and the whole system of jurisprudence under the old forms has gone entirely out of use.

The appointment of the district judge for Brazoria was, by virtue of the

powers conferred upon the Executive under the organic law, and in conformity with the 4th article of the constitution; it was made more especially for prize cases, several of which have already been adjudicated. With the exception of the patriotic excitement occasioned by the present movements of the army, and the interest manifested in the cause of independence, the country is tranquil; and her citizens zealous in sustaining the Government, good order, and the laws.

In pursuance of the authority given in the Executive ordinance, the President, with the advice and consent of the cabinet, has issued his proclamation for the election of a President, Vice President, Senators and Representatives to Congress.

The election is to take place on the first Monday in September next, and will comprise fourteen Senators and thirty-two Representatives, who are required to convene on the first Monday of October ensuing, at Columbia; so that the presumption is, the Government, as contemplated by the constitution, will be in full operation within a few days after that time.

I am obliged to leave this subject, for the present, to address you another letter by the same conveyance, upon matters of a more incidental nature.

I have the honor to be,
Your obedient servant,
HENRY M. MORFIT.

VELASCO, *August* 23, 1836.

SIR: I returned a few days ago from Galveston and that neighborhood. The easternmost end of that island is garrisoned by the Texans, who have hastily thrown up a mud fort and erected a few cannon. General Cos, with forty-seven other Mexican officers, and about four hundred men, have been confined to that post since the battle of San Jacinto; the rest of the prisoners, with the exception of General Santa Anna, are dispersed among stations in this vicinity. On the 16th instant, I was present at the embarcation of the officers for Anahuac, a small town on the north side of the bay, about twenty miles from Galveston, whither they had been ordered by the President, so as to diminish the risk of the garrison in the event of a naval attack by the Mexicans. This place is under the command of Colonel Morgan, with two companies of regulars and some volunteers, the whole not exceeding one hundred men, who, nevertheless manifest great confidence in being able, not only to control the prisoners, but to defend the place against any approach of the enemy. The whole place has the appearance of a military encampment ready for action, as the officers, soldiers, and prisoners are dispersed among a hundred tents and huts.

The course to be pursued towards Santa Anna is becoming a subject of much interest, and will probably divide the country into two warm parties: the moderate of which will contend that the honor of the country is worth more than the life of the prisoner; and the other, that crime is more justly punished under the law of retaliation than by that of humanity.

The Secretary of War has addressed a letter to his associates, in which he expresses himself as "impressed with the importance of an early determination of the question" that "Santa Anna has forfeited his life by the highest of all crimes, and is not a suitable object for the exercise of the pardoning power." He proposes, however, as the next best course after the rejection

of that for execution, an exchange of prisoners, and to detain Santa Anna and the most influential, until Mexico shall recognise the independence of Texas; he repudiates the idea of retaliation, and asks only for even-handed justice. The rest of the cabinet are opposed to taking the life of their prisoner; but, I believe, agree in the expediency of detaining him until Mexico shall establish a permanent treaty of peace. The argument of the President is, that Santa Anna was brought to camp a prisoner of war, and treated as such; and that, under military usages, in relation to one surrendered and received as a prisoner, the preservation of his life "is the first and unequivocal axiom of those customs;" that "it is the untutored savage only, who immolates his captives to the disembodied manes of his slaughtered friends: to *his* benighted fancy, the spirits of the slain in battle rejoice in the sufferings and gambol amidst the agonies of dying captives." The address of the Secretary of War has been published, a copy of which I now send: the views of the Executive have not been printed, but I have heard them expressed in the language just quoted.

Notwithstanding the general indignation against the prisoner, for the perpetration of so many crimes alleged against him, it is probable that after the next victory the chivalrous feelings of the brave men of the country will prevail, and that clemency will take the place even of justice.

On Sunday morning last, a company of citizen soldiers came down from Marion, on the river Brazos, bringing information that a plan for the liberation of Santa Anna had been detected, and the conspirators taken, and that some volunteers from New Orleans, and who were then here, were supposed to be implicated. The President forthwith gave the necessary orders for surrendering those volunteers, and they were escorted by the company from Marion up to that place for examination.

While I am writing, a vessel has arrived from Matagorda giving a flattering account of the Texan army, and of the means they have to sustain them in their present campaign.

These are the desultory points to which I alluded in the conclusion of my letter of yesterday, and which I thought it might be advisable to communicate.

At the very earliest opportunity I shall write again,

And have the honor to be,

Your obedient servant,

HENRY M. MORFIT.

Hon. JOHN FORSYTH,
Secretary of State.

NEAR THE RIO BRAZOS, *August* 27, 1836.

SIR: The boundaries claimed by Texas, since the repudiation of the treaty with Santa Anna, will extend from the mouth of Rio Grande on the east side, up to its head waters; thence on a line due north until it intersects that of the United States, and with that line to the Red river, or the northern boundary of the United States; thence to the Sabine, and along that river to its mouth; and from that point westwardly with the Gulf of Mexico to the Rio Grande.

It was the intention of this Government, immediately after the battle of San Jacinto, to have claimed from the Rio Grande along the river to the thirtieth degree of latitude, and thence due west to the Pacific. It was

found, however, that this would not strike a convenient point on the California; that it would be difficult to control a wandering population so distant; and that the territory now determined upon would be sufficient for a young republic.

Some speculative plans were laid for extending the commerce of the United States when those limits were first proposed. In New Orleans it was said, that as steamboats could go to Natchitoches, a railroad should be constructed from that place, through a gorge in the southern Rocky mountains, and thence to the Gulf of California, so as to give the western States access to the East Indian, Peruvian, and Chilian trade, which would set competition by all other countries at defiance. The merchants at the north argued that the Rio del Norte could be ascended by steamboats nearly seven hundred miles, which would be within a short distance of the Colorado of the west, a river that empties into the Gulf of California; and that thus, in a short period of time, a communication would be opened to India, and the route there and to the western coast of South America be shortened more than one-half. All these calculations were of course made in good faith with regard to the territorial rights of Mexico, as they were only upon the hypothesis that she would acknowledge the independence of Texas, and give the Americans a right of transit through her limits.

I am informed by the Executive, that when the treaty with Santa Anna was under consideration, he stated that it would be better to leave that question open for adjustment in the city of Mexico, as the influence of his party and his own representations about the Texan force would enable him to meet the wishes of this Government on the subject, with more certainty and ease than if the boundaries were abruptly fixed without such previous arrangement. The Rio Grande was, nevertheless, made the western line by implication, as the third article of the agreement stipulates that the Mexican troops should evacuate the territory of Texas, passing to the *other side* of the Rio Grande del Norte.

The boundaries, as I have first described them, seem to be those which will be insisted upon in any future negotiation.

The political limits of Texas proper, previous to the last revolution, were the Nueces river on the west; along the Red river on the north; the Sabine on the east; and the Gulf of Mexico on the south.

The population within that territory is said to have been 70,000; but from all that I can learn, it should be estimated at about 50,000, or less.

The races consist of Anglo-American, Mexican natives, aborigines, and negroes. Of these, there are, perhaps, 30,000 Anglo-American settlers distributed principally between the Nueces river and the Sabine, and on the Trinidad, Colorado, and Brazos rivers; about four or five thousand of the men of this population still remain at home, attending to their farms.

There are 3,500 native Mexicans, of Spanish descent, all interested in the cause of Texas.

Of these, there are in the neighborhood of Nacogdoches,	800 souls.
In San Antonio de Bexar - - -	2,000
In Victoria - - - - -	120
In San Patricio - - - - -	50
In La Bahia - - - - -	500

The aborigines amount to about 12,000; of whom there are 400 souls or 150 warriors, of the Whaco tribe, who have a village near the head waters of the Brazos; 50 warriors, or 200 souls, of the Towackanies, who are a branch of this tribe; 200 warriors, or 800 souls, of the Tonkawas, be

tween the Colorado and La Baca; 80 warriors, or 350 souls, of the Conshattees, near the Trininada; 60 warriors, or 250 souls, of the Alabamas, on the Neches; 2,000 warriors, or 8,000 souls, of the Comanches, ranging from the Guadalupe mountains across the head waters of the Colorado, Rio Brazos, and Trinidada, up to the Red river; 120 warriors, or 500 souls, of Caddoes, who have lately migrated from the borders of the United States towards the Trinidada, and who, a few weeks ago, destroyed the village of Bastrop; 250 warriors, or 900 souls, of the Lepans, principally above the Colorado and San Antonio. Besides these, there are small portions of several wandering tribes, amounting to 200 warriors.

This enumeration does not include the northern Indians from the United States, consisting of the Cherokees, Kickapoos, Choctaws, Chickasaws, Potawatamies, Delawares, and Shawanees, amounting to about 2,000 warriors, who are restrained from taking part with either side in consequence of the position of General Gaines.

It is said that General Urrea has already proposed a treaty of alliance with those tribes, the consideration for which, in the event of success, is, that the Indians shall possess Texas. This fact has been communicated to the commander-in-chief at Camp Sabine, who will, no doubt, take care to enforce the neutrality of all parties, according to the treaty of 1828.

The Towackanies and Tonkawas are merely predatory, making occasional incursions upon settlements, and carrying off cattle. The Whacos are inimical, but their acts are chiefly confined to inroads upon the stock. The Lepans are entirely neutral. The Comanches, who are the largest tribe in the country, and more numerous than all the rest together, having about 2,000 warriors, or 8,000 souls, are friendly to Texas, as are also the Conshattees and Alabamas. From this it will be seen, that of the Indian tribes belonging to the State, the proportion of those friendly is as four to one of those who are inimical. The negroes are about 5,000 in number.

The *additional* territory claimed by Texas since the declaration of independence on the 2d March, 1836, will increase her population at least 15,000: so that the State may be said at this time to contain 65,000 souls. Of this augmentation, there will be in the village of Taos about 1,500; in Santa Fe, 2,500; in San Miguel, 1,000; and 2,000 in the other settlements. There are also eight thousand souls belonging to the families of rancheros or herdsmen, who will add to the products, but not to the physical force of the country. Two tribes of Carancahuas, the one of which is friendly and the other opposed, are in the vicinity of Espiritu Santo, and have seventy or eighty warriors, or about three hundred and fifty souls each tribe. The rest will consist of the several little bands of Apaches, between the Paso del Norte and the mountains of Anahuaca. They were originally branches of the Comanches, and, like all the rest of the Indians in the country, are nomadic. The rancheros are several, and, in some instances, numerous herdsmen congregated upon a large estate called a *hacienda*, generally belonging to one proprietor. Some of the rancheros are feudal, where the land and greater profits, with certain services, are claimed by the haciendado or proprietary; others are allodial, where the herdsmen are either owners in fee, or are lessees at a rent in money or in kind, without the rendition of any personal duties. The feudal tenures are confined to the districts of Sante Fe and Coahuila, and not many even there.

Some of the haciendas have herds of one hundred thousand horned

cattle, and very few less than ten thousand, exclusive of mules an horses.

The rancheros themselves, of the poorest grade, have never less tha two hundred head.

This information is derived by inquiry of intelligent men who have trav ersed all that region of country; and I advert to it in order to show th resources which the newly acquired portion of territory will bring in ai of the future operations of the State, if her independence is acknowledge

As regards the population of emigrants from the United States, the are said to be not less than fifty thousand, being all those whom I hav denominated Anglo-Americans. They have been coming to this countr from the first grant to Moses Austin, in 1820, down to the present momen Those who were here before the revolution were called settlers, becaus their objects were agriculture, trade, and commercial enterprises. Thos who have come since the declaration of independence are termed em grants, and devote themselves, in the first instance, as volunteers, to secu the soil upon which they afterwards intend to fix their homes.

The inducements to this change of country proceed from various cause some coming to avenge the blood of their relations, who were slaughtere in violation of all faith by the Mexicans; some from the salubrity of cl mate, and the prospects which a new country hold out for future wealth and some on account of the great productiveness of the land, and the eas with which it can be cultivated.

The bounties to volunteers have also created a separate motive for em gration, as the convention which sat at Washington on the 17th of Marc last, granted twelve hundred and eighty acres of land to all then in servic and who shall continue to the end of the war; to those who served for period not less than six months, six hundred and forty acres; to thos who had served not less than three months, three hundred and twent acres; to such as entered previous to the 1st of July, 1836, and sha continue during the war, nine hundred and sixty acres; and to those wh shall enter after that time, a quantity proportionate to their services, to b hereafter determined by law: in addition to which, the troops receive th same pay and rations as those in the army of the United States. Th population has been temporarily diminished, to a great extent, by the re moval of the women, children, and infirm, to the United States, since th war has approached the eastern part of the State; and my observations ar made upon the supposition that they were still in the country, and that th information given me upon the subject is correct.

If I were to take my own judgment exclusively on this matter, an were to reason as to what I have *not* seen by that which I *have*, I shoul say, the population, exclusive of Mexicans, Indians, and negroes, has neve exceeded thirty thousand.

I have the honor to be,

Your obedient servant,

HENRY M. MORFIT.

To the Hon. JOHN FORSYTH,

Secretary of State, Washington City.

COLUMBIA, IN THE INTERIOR,
September 4, 1836.

SIR: The views of this Government and of leading individuals as to the true line of boundary between the United States and Texas are the same as those assumed by Mexico upon that question; and invariably I have been referred to the treaty of limits as defining precisely the adjoining territory of either party. The only point admitted to be doubtful is that relating to the source of the Arkansas, which some old hunters suppose may go beyond the 42d degree of north latitude, so as to extend the northwestern boundaries beyond those described in the maps. The idea prevailed in the neighborhood of Natchitoches previously to the treaty with Spain in 1819, and I am told is still entertained by some of the settlers, that the river designated as the Neches was traditionally known as the western Sabine. Dr. Sibley, of the former place, is said to have supported that belief as early as 1816; and the fact that the Neches has its source in about the 32d degree of north latitude, and is the western river that empties into lake Sabine, would seem to countenance that position, and to account for the language used in the second article of the renewed treaty of 1819. I had a conversation recently with Colonel Almonte, who informed me that he had been appointed the commissioner on behalf of Mexico to run the boundary line between the two countries; and that, before the events of the last campaign, he had expected to have joined the commissioner from the United States upon the frontier for the fulfilment of their duties; but that, as an unfortunate turn had taken place in the affairs of Mexico since that time, he was unable to say what would be the result of that appointment, or even of the treaty. The intended expedition against Matamoras, of which I advised you some weeks ago, seems to be for the present suspended, as the army has retired from its advanced position on the Coleto to the La Baca, which is thirty-five miles nearer to the gulf, and more convenient for the transportation of supplies.

A majority of the three months volunteers, who are now returning from the army, are desirous to re-enlist for this special service; and the cabinet are disposed to press the attack by sea, provided there is a hearty co-operation upon the part of the military. The intention, now, is neither spoliation nor to levy contribution on that city; but to effect a neutral feeling as far as possible on that place, and to demonstrate the ability of the Texans to destroy it, if necessary. The Comanche Indians, who are very numerous and friendly, have intimated a wish to take part in the present contest; and yesterday it was proposed by one of the cabinet to unite the warriors of that tribe with a portion of the army, and carry the war into the interior, beyond the Rio Grande, against Chihuahua; while the naval expedition against Matamoras should be advanced at the same time. Nothing has yet been decided as to this matter; and I think it probable that the army will remain at their present encampment until some plan of operation shall be determined upon by the approaching Congress. The present resources of Texas are principally derived from the sympathies of their neighbors and friends in the United States, and by loans upon the credit of the State. The donations from the former quarter have been, and will no doubt continue to be, very liberal, and indeed munificent. Several individuals not interested in the success of the country, further than their general attachment to the cause of independence and that of their old compatriots, have unostentatiously presented $5,000, while numbers have contributed $1,000 each;

and small associations in the different States have thrown in their aid, un the aggregate has swelled to a large amount. I have been surprised to fi that Texas has carried on a successful war thus far with so little emb rassment to her own citizens or her treasury; and perhaps it is the first stance in the history of nations where a State has sustained itself by m and means drawn wholly from a distance.

All the loans which have been created were by authority of the l provisional Government, and do not exceed $100,000.

One of these was conditional. to be extended to $200,000, if necessar of which, however, only $20,000 have been drawn. Another was $50,000, and the third for $10,000; the two first in New Orleans and t latter in New York. I have had access to the Treasury exhibits, and fi that the amount due for supplies, as near as may be, is - $450,0

Amount due the navy and unpaid, including supposed liabilities for six months to come, viz:		
Amount due - - - -	$112,000	
Estimated expenses for six months - -	65,000	
		177,0
Amount due the army for pay and clothing -	412,000	
Expense for six months to come, for pay and clothing	210,000	
		622,0
		$1,249,0

The probable outstanding debts, on all accounts, are thus:

Amount of debts audited, for which Treasury orders have been issued, debts under consideration in the Auditor's office - -	$309,
Estimate for supplies, exclusive of the amount audited -	250,
Loans - - - - - - -	100,
Amount due the navy, exclusive of the amount audited -	60,0
Amount due the army, exclusive of the amount audited -	412,0
Amount of civil and contingent expenses, exclusive of amount audited - - - - - - -	118,2
	$1,250,0

Whole amount to this date, one million two hundred and fifty thousand dolla

As this estimate is made so as to comprehend a period in advance, n supplies are still coming in from neighboring friends, the presumpt is, that the public debt will not be increased for six months, except in th particulars which arise from the establishment of the several branches f *complete* Government, under a new constitution. The prospective resou for the payment of the public debt, and the future support of the Gv ernment, are, the public domain, imposts and tonnage duties, and mon due from settlers on lands heretofore granted under the colonization la of Coahuila and Texas.

The public domain will be the most available and fruitful source o means to the State. The "head rights" yet due to settlers, together wi all other claims for land, are estimated at fifty millions of acres; and h quantity which will remain, after all deductions for costs of the war an soldiers' grants, is one hundred millions of acres.

The present army is about 2,200 strong, not including the settler o

farmers, who can be drawn upon any emergency, so as to augment the number to at least 5,000 *efficient* men; and the supplies for the winter campaign are now in the country, and at the command of the Government. Besides this, emigrants are coming in weekly, who enrol themselves first in the military service; so that the army, in fact, is never diminished by the lapse of terms of enlistment.

The answer, therefore, to the inquiry as to the present condition of Texas, and her future means, is, that she owes one million two hundred and fifty thousand dollars; that her grants in land to citizens and others for "head rights" and military services, are about fifty millions of acres; and that she will have one hundred millions of acres left, after all deductions, to meet the expenses of the war; that she has a standing army of 2,200, which will be increased to 4,000 before the close of the year, besides a reserve of 3,000 yeomen soldiers at home; and that her citizens say she relies for success upon the merits of her cause, the aid of her friends, and the weakness of her enemy.

I am upon the point of starting for the Colorado, farther into the interior, whence I shall write to you in a few days.

I have the honor to be your obedient servant,

HENRY M. MORFIT.

To the Hon. JOHN FORSYTH,
Secretary of State.

NEAR ORAZIMBA,
September 6, 1836.

SIR: The zeal of the citizens of the district of Brazos has induced many of the richest of them to propose to the Government to raise half a million of dollars for the war, upon their own several bonds. Forms have been printed this day, by which they individually promise to pay various sums at the Bank of Orleans on the 1st of March, 1842, with interest annually, and the whole secured by the "present and future real estate" of each obligor. The Executive, with the consent of his cabinet, has accepted the offer, and will issue scrip, pledging the faith and credit of the Government for the repayment of the money; so that the citizens and their property are first bound to the State, and then the republic bound to those who may advance the money.

The general election for President, Vice President, and members of Congress, took place last Monday, and it is supposed that General Samuel Houston is elected by a very large majority to the first office, and Mirabeau B. Lamar to the second: the latter had no competitor. I enclose a copy of each of the papers prepared for the new loan, and have the honor to be,

Your obedient servant,

HENRY M. MORFIT.

To the Hon. JOHN FORSYTH,
Secretary of State.

Copy of Papers prepared for the New Loan.

Know all men that I, ———, for value received, am firmly bounden, and by these presents do firmly bind myself, unto David G. Burnet, President of the Republic of Texas, and his successors in office, and his or

their assigns, in the sum of ——— thousand dollars, payable on the firs day of March, eighteen hundred and forty-two, with ——— per centur per annum interest, from the first day of October, eighteen hundred an thirty-six; the interest to be payable on the first day of March, eightee hundred and thirty-eight, and thereafter annually, until the extinction o this bond, both principal and interest payable at the Bank of Orleans, i the city of New Orleans. Nevertheless, this bond to be cancelled, acquitte and made void, whenever, at any time after the first day of March, eightee hundred and thirty-eight, I, the above bounden ——, shall pay, or cause to b paid, to the said David G. Burnet, President as aforesaid, or his successor in office, or his assigns, the aforesaid sum of ——— thousand dollars, wit ——— per centum per annum interest, from the first day of October, eigh teen hundred and thirty-six; and for the security of the same I speciall pledge my real estate, present and future.

Given under my hand and seal, ——— this ——— day of ———, or thousand eight hundred and thirty-six.

[SEAL.]

By this act, be it known that I, David G. Burnet, President of the R public of Texas, acknowledge to have received of ——— for the bene of said republic, a bond for the sum of ——— thousand dollars, payab at the Bank of Orleans, on the first day of March, eighteen hundred an forty-two, with ——— per centum interest, from the first day of Octob eighteen hundred and thirty-six; which said bond thus signed and deli ered by the said ———, is dated ——— day of ———, eighteen hu dred and thirty-six; and the faith and credit of the Government of Tex is hereby pledged for the payment of said bond and the interest thereon.

Done at ———, the ——— day of ———, one thousand eight hundr and thirty-six.

VELASCO, TEXAS, *September* 9, 1836.

SIR: The military force of Texas, as now embodied, consists of reg lars and volunteers. The first comprise two regiments of infantry, one cavalry, and one incomplete regiment of artillery; so that the regular arm will be about 1,700 strong. Of volunteers, there are now in the field f the war, four full companies, and about 600 men who were engaged f six months, besides several companies enlisted for three months, who period of service is near expiring. The whole army may therefore be p down at 2,500, and the Secretary of War reports that "volunteers contin to arrive by every vessel, without scarcely an exception."

The army will be 5,000 strong before December. In this estimate t old colonists and farmers are not included; they are prudently left to th usual pursuits, and will be called out only upon the greatest emergenc This class of citizens amounts, it is said, to at least 3,000; so that the whe force of the country, in the last resort, will be 8,000 men.

The plan of receiving volunteers for three months has been found to injurious to the cause, as well as to the economy of the State; and he after enlistments will be received principally for the duration of the w and none for less than six months.

As regards an exact detail of the military condition of Texas, it is i

possible, as the department which should furnish the information is not itself in possession of regular returns. The acting Secretary of War estimates the army at near 3,000; and officers with whom I have conversed, and who were immediately from camp and the several garrisons, suppose the whole force at the various points to be much less. I have, therefore, in presenting the preceding estimate, taken the mean number as the most probable upon their own statements, and have put it at 2,500 men.

Notwithstanding these representations from the officers of Government, and the reports which are circulated by individuals interested to corroborate them, I am induced to believe, from personal observation, that all the troops now in Texas do not exceed 2,000, and that the expectation of her citizens, as regards either new volunteers or the number that can be drawn to the field from her own colonists, will not be realized.

In my despatch No. 6, I supposed that the army might be increased before the close of the year to 4,000, and, in reviewing the data upon which that opinion was formed, I am induced to reiterate it, as expressing the maximum extent of the ordinary force. With respect to the augmentation of this number by the old settlers, it will at once be seen, that although they would take part in the contest, it could only be for a short time, and to prevent or determine a crisis, as during their absence the families would be unprotected, and the provisions and crops abandoned. Out of these 3,000 men, there could never be spared more than one-third; so that, admitting all the contingencies to happen out of which the army is to be composed, it will not exceed, at any time, 5,000 men. Nearly the whole of the present army is composed of citizens *recently* from the United States; and supposing the number to be 2,000, the proportion of Texans proper will not exceed 300. Heretofore, the conflicts have been sustained mainly by the colonists themselves, as in the battle of San Jacinto there were only 200 volunteers out of an aggregate of 783; the rest being settlers, and a small detachment of Mexicans under a native chief.

The equipment of the army is such as might be expected in a new country, where the operations of an established government are just beginning to assume a system.

Commissariat and quartermaster departments have been established, with the necessary assistants, and supplies of rations and clothing are furnished according to the wants of the soldiers and the quantity on hand. In the subsistence department there have been occasionally some delinquencies, in consequence of delay in receiving supplies, and the want of opportunity to transport them to the army speedily by water. Provisions frequently arrive as donations. In the other department, there is more irregularity, as clothing can only be purchased for cash, and the means of Government are not always available in that form.

The munitions of war appear to be abundant for the present, and, perhaps, for a much larger number of troops. Every emigrant brings with him some military weapon; and there is scarcely a cabin in the country that cannot, at a moment's warning, arm several men. Besides these, there are frequent shipments of muskets, sabres, and powder; and there is a small extra supply of each at the several posts. In the last battle, the official return shows a gain of 600 muskets, 300 sabres, and 200 pistols. The embarrassment to the ordnance department is, that the arms for the same class of troops are not always of the same kind, and that soldiers who retire after the stipulated tour of duty frequently take them home to be ready on any

emergency. From this cause, no certain calculation can be made as to th number, description, or depot of the arms; and hence there must be an irr gularity, as well in the general armament as in the discipline of the troop The pay and subsistence of the army and navy are the same as in th corresponding service in the United States, and the rules and regulatio of each have been adopted here.

The soldiers appear, for the most part, to be satisfied upon the settleme of their accounts in receiving Auditor's certificates for the amounts due, a they expect to derive from the bounty in land a speculative profit beyon the present depreciation of their scrip. The latter is made payable out any money in the Treasury not otherwise appropriated; but as all the pr sent funds are applied to the *subsistence and equipment* of the army an navy, the payment of those certificates will be postponed until the Sta shall be able to perform the obligations of an independent nation.

It is said that upon any future invasion the citizens will not again r move their families beyond the Sabine, as experience has proved that, wi the present foe, a brave defence by any numbers is better than a hasty retrea This determination will keep the whole of the settlers together, and inspi general confidence.

The Comanche Indians are looked to by the Texans as ready auxili ries, as they have immemorially been opposed to the Guachupins (Guac inangos) or Spaniards, and are not less so to their successors the Mexican If those warriors are enlisted in the cause, the pretensions of Texas m assume a stronger form.

The fortifications consist of the Alamo, near San Antonio de Bexar, an the fort at La Bahia, now nearly destroyed: they were both built by t Spaniards in the early part of the eighteenth century, and were fortress of great strength. Colonel Travis defended himself in the former wi 184 men against 1,600, and Colonel Fannin supposed that with 400 t La Bahia he could have withstood 1,500 men. Besides these, there a several small stations between La Baca and the Rio Grande, called re gios, or places of retreat for the early Spanish settlers from the approach of the Indians. They are chapels surrounded by walls of masonry, no dilapidated, and were capable of holding 200 men, each.

The naval force of Texas has already been described in a former co munication. It consists of the Invincible, of nine guns; the Brutus, of t same force; the Independence, of eight guns; and the Liberty, of thre the whole manned by two hundred men.

The ability to repel further invasion from Mexico is fully believed he as the strength of the army is greater than it has been at any former p riod, and the operations of the Government will be more systematic th heretofore, as the approaching Congress will, no doubt, combine the w dom and direct the energies of the people. There is not at this time, n has there been since the retreat of General Filisola, a single Mexican e emy on this side of the Rio Grande.

What Texas may be able to do hereafter in her conflict, it would merely suppositious to say; but to compare the probability of comi events with the success of those that have passed, the result would highly favorable to the establishment and maintenance of her indep dence.

In order that you may determine whether *her* history thus far may considered as experience that will teach successfully by example, I subm the following summary:

In the year 1827, when the Texans near Nacogdoches had been aggrieved by the military at that post, and had ineffectually endeavored to rocure their removal, they took up arms for the purpose, and with 250 ndisciplined men defeated 375 regulars, under General Las Piedras.

In 1832, during the administration of Bustamente, and after the violation f the federal constitution, a detachment of 132 Texan settlers, under Capain John Austin, besieged and reduced the fort at Velasco, garrisoned by 73 Mexicans, under Colonel Ugarticha, with great loss to the besieged.

In 1835, the Mexican garrison at Anahuaca, under Captain Tenoria, surendered to Col. Travis, commanding a smaller force. In October of the ame year, the Mexican cavalry from the fortress at Bexar were completely outed at Gonzales.

A few weeks after, 92 Texans, under Colonels Bowie and Fannin, fought ne battle of Conception, and defeated 450 Mexicans. In November, Lepanttlan on the Nueces was captured by Adjutant Westover. The battle near exar was fought in the same month, and 400 Mexicans were obliged to tire, under cover of the artillery of the town, before 200 Texans. And December, the city of San Antonio and the Alamo, defended by 1,300 lexicans under General Cos, surrendered to 400 Texans, commanded by olonel Milam. This terminated the first campaign in the cause of civil berty in Texas.

The second commenced with a small expedition against Matamoras, hich failed, and was succeeded in March, 1836, by the assault of Santa nna upon the Alamo, its surrender, and the massacre of the Texans.

Then followed the defeat of the Mexicans at the Mision del Refugio by aptain King, and the destruction of Gonzales on the retreat of General ouston.

The second fight at Refugio terminated favorably to the Texans under olonel Ward. But Colonel Fannin, a few days after, submitted to Generl Urrea, and 400 men were shot.

On the 21st of April, 1836, the decisive battle of San Jacinto was fought, which General Santa Anna, with 1,300 men, was defeated by General ouston commanding 783; and on the 24th of the same month, all the exican forces retreated beyond the frontiers of Texas. This concluded e second campaign, and thence, it is said, a new epoch in her history was ated.

If we recur to the military incidents of Mexico, in which persons from e United States took part even while that country was under the ominion of Spain, it will be seen that nearly all the conflicts were disasous to her subjects, and that there seems to be a fatality against her at is likely to keep pace with all her pretensions on this side of her atural boundary, the Rio Grande. As early as 1810, the military post at aton Rouge, whose commandant had committed many wrongs against olonel Kemper, was attacked by 40 Americans under General Thomas, id the garrison, with Colonel Lassus and 120 men, subdued. The Mexins about that time had commenced a revolution against Spain, and olonel Ross, with 500 men, proceeded into Texas to aid the patriots: attacked and took the strong fortress of Goliad without any loss, and on after defeated and captured 1,500 Mexicans. This army determined on the conquest of Mexico, and routed and cut to pieces 3,000 men near an Antonio.

A reinforcement of 4,000 Mexicans assaulted Bexar in the absence of

the American generals; but the troops resolved to act themselves, an defeated the assailants with the loss of only three men.

In 1812, General Toledo, who had revolted from the Spanish Gover ment, took command of San Antonio, and, with Ross's force of 400, an 300 Indians, routed *another* Mexican army of 4,000 men. These event led to the general revolution which separated Mexico from Spain; an ever since then, whenever the Texans have been engaged, either wit the Mexicans to establish a republic, or against them to defend it, the have almost invariably prevailed.

Notwithstanding all these examples of success, and the improved co dition of Texas, which seem to justify her declaration of ability to establis and maintain her independence, there are many circumstances which, i the mind of an impartial observer, would authorize the suspension of th belief until after the issue of the next campaign.

The independence of a nation may be considered, 1st, in relation to h ability to defend herself against the Government from which she has wit drawn; 2dly, in regard to the performance of those obligations, which, as separate nation, she has since undertaken; 3dly, with respect to her mea of complying with such parts of treaties made by the mother country wi foreign powers, as would be sought to be enforced against her; and, 4thl as to her ability to defend herself against such demands, upon the plea th a separate sovereignty repudiates all liability not undertaken by the Sta in its independent character.

The first and fourth views embrace the physical or military *condition* the country, and the second and third only the civil obligations.

If we judge the prospective affairs of Texas by those that have alread occurred, and can count upon a continuance of the sympathies and migr tion of her brethren from the United States of the north, she will acco plish the first category of those inquiries, and be able to defend hers against any farther invasion by Mexico. She will escape the penalty of th 4th condition, because none of the treaties with Mexico with foreign powe contain obligations that would operate against her interest, and no prohil ory stipulations, except in relation to the slave trade, and that is alrea provided against by the 9th section of the "general provisions" of the co stitution, which declares the importation of Africans or negroes, exce from the United States of America, to be forever prohibited, and to piracy.

The second view as to her undertakings *since* she has separated fr Mexico, is confined at present exclusively to liabilities to her citizens, a Government loans made upon the pledge of public faith and the pub domain; all of which will no doubt be complied with, if she succeeds in h independence. And the third position is not applicable to her, becau even admitting it to be one which could be insisted on by the law of natio it is explained away by the reasons that prevail in relation to the fou inquiry.

Under *this* aspect, and seeing that the constitution of the 17th Mar 1836, has been finally adopted by the voters at the elections, on the fi Monday of this month, and that the present administration is continued, un the provisions of that instrument, until the second Monday in Decemb it may be said that Texas now has in successful operation a civil gove ment capable of performing the duties and fulfilling the obligations of independent power.

The reasons I should urge against the present declaration of this opinion, are these:

First—The Mexicans, it is said, are preparing to invade Texas during the winter, and already there are 4,000 at Matamoras.

Secondly—The increase of emigrants from the United States is contingent, and may be prevented by various causes, some of which have already operated.

Thirdly—The ordinance of the 16th March diminishes the quantity of bounty lands to soldiers who shall enter between that time and the 1st of July, and leaves the quantity for those after that period undefined, and to be determined by Congress. This has lessened the zeal of many already in the service, and has taken away a strong motive for the services of others.

Fourthly—Enlistments are expiring every week, and there may not be one thousand in the main army in one month.

Fifthly—The troops expected in a body from the south are to be furnished by contract, so that, without any imputation against the motives or chivalry of the individuals, the obligation may fail when the hope of profit is destroyed.

Sixthly—The great majority of the emigrants, no matter by what good feelings actuated in the commencement of service, always manifest a reversionary desire for home, and return to the United States as soon as their duty is over; so that the population of the country is never actually augmented.

Seventhly—The old colonists would not, by themselves, be able to sustain an invasion, and, at the same time, supply the means for the war.

And, finally, independent of any other objection, the ardor of volunteers, and the interest which the fate of the brave in the late battles produced, have greatly abated, by the suggestions and arguments that this whole enterprise of independence is a mere speculative scheme, concocted and encouraged for the aggrandizement of a few.

I have the honor to be,
Your obedient servant,
HENRY M. MORFIT.

To the Hon. JOHN FORSYTH,
Secretary of State.

VELASCO, *September* 10, 1836.

SIR: Upon the inquiry as to whether any negotiation has been commenced, or is intended, with Mexico for the acknowledgment of the independence of Texas, I have ascertained that no attempt of that kind has been made since the failure of the treaty with General Santa Anna.

It was hoped that the commissioners, Lorenzo de Zavalla, the Vice President of this State, and the Hon. Bailey Hardeman, Secretary of the Treasury, would have been enabled, in conjunction with the President of Mexico, to have effected a full recognition according to the understanding previously had on that subject; but the detention of Santa Anna, by the popular voice, after he had embarked with those two gentlemen, and his continued captivity, together with the political changes in Mexico since then, have put an end to all favorable expectations from that quarter.

No attempt has been made by the authorities here to open any nego-

tiation with any foreign power, other than the United States; and I believe all their wishes and applications on this subject are directed exclusively to that Government.

After the Mexican President was compelled to disembark from the vessel in which he was about to return in pursuance of the public treaty, he presented, on the 9th of June, 1836, a solemn protest against this alleged breach of good faith—averring, at the same time, his intention and ability to perform all that had been promised upon the part of Mexico. The public will, however, prevailed over the judgment of the cabinet, and General Santa Anna still remains subject to the disposition of the ensuing Congress.

The constitutional term of service of that President will expire in April, but, from intelligence daily arriving, we are apprized that his popularity and power are already extinct. Indeed, Mexico appears to be divided by various factions, some following or aiding the fortunes of individuals, while others are formed into political classes in favor or against the consolidated form of government. General Urrea is for re-establishing the federal constitution, and, in consequence, has been recalled from the army to give place to General Bravos.

The *Cosmopolita*, a newspaper published in Mexico, states that such is the distressed condition of public affairs, that "Government cannot in any way procure money for a single campaign." It refers to several executions that have recently taken place for political reasons, and compares the acts of the party in power to the tyranny of Bustamente.

The Congress, which is now in session, seems to have exhausted all ordinary modes of raising revenue, and adverts to the necessity of levying new contributions. The national power and integrity of Mexico seem to be lost in these domestic difficulties; and hence Texas argues that no other army will be raised to cross the Rio Grande against her.

There is much reason in this assertion; and besides the feebleness of the Government, the people in the provinces adjoining Texas are opposed to the war, as they have already suffered severely in the progress and return of their own army through their country. Zacatecas and Chihuahua have manifested great desire for peace; and if the ambition of a few men contending for power could be allayed, Mexico would be quiet, and Texas free.

The population of Mexico is about eight millions, and that of this country between forty and fifty thousand; so that it cannot be supposed that, under ordinary circumstances, the issue of this war would remain long undecided.

It is owing to the confused state of parties, the exhausted treasury, the division of the troops into opposite commandancies, the contest between those who are for a consolidated government and those who desire a republic, that the fate of Texas is thus protracted; and, after all that can be said in regard to her ability to sustain her independence, it resolves itself into the single fact, that, without foreign aid, her future security must depend more upon the weakness and imbecility of her enemy than upon her own strength.

I have the honor to be,
Your obedient servant,

HENRY M. MORFIT.

Hon. JOHN FORSYTH,
Secretary of State.

VELASCO, *September* 12, 1836.

SIR: The disposition of the Government and the people of this country towards the United States is the same as that in any of the States of the Union. Though geographically separated, they have all the attachment which transient emigrants may be supposed to retain for their own country, and universally desire a political annexation of Texas with the United States. It was intended originally to have submitted the constitution of the 16th March to a convention of the people, after its approval or amendment by Congress; but, as much delay would have been caused by this mode, and it was argued that, with whatever defects, it were better to adopt and confirm it at once, so as to put the Government in complete operation at the earliest moment, the President, in his proclamation for the elections, proposed this as a question to the voters; and the returns show that, almost unanimously, the people have approved and accepted that constitution, without amendment. Every precaution was taken in the general writ of election to preserve the rights of the citizens, so that those who were absent from their respective precincts upon public duty, or had been obliged to retire temporarily upon the invasion of the enemy, should still exercise a voice in the formation of the new Government; and in this way, whatever has been done may be considered as an unequivocal expression of public sentiment. The voters at the different polls were required to state "whether they were in favor of annexing Texas to the United States;" and the response through every municipality has been wholly in the affirmative.

I attended one of those elections, and found it conducted with much moderation as to the respective candidates for office, and great unanimity as regards the important points of confirming their present *magna charta*, and seeking admission into the Union of the United States of the north.

The terms upon which they desire to become an integrant of that Union have been discussed in the cabinet, and have already been, or will be, made the heads of instructions for the conduct of their representative near the Government at Washington. They are somewhat as follows:

That all the laws, acts, and obligations of the present, as well as of the provisional Government of November, 1835, shall be respected and held valid.

That bona fide settlers shall be protected in their rights to so much land as they can rightfully claim by virtue of the laws under which they emigrated.

That locations of land shall not be deemed defective for any failure to comply with formal requisitions, such as cultivation *in toto*, erecting landmarks, paying annual fees or dues to the Government; and that grants, good in the beginning, shall continue so, upon a compliance with the neglected requisites, whenever they may be legally insisted on.

That slavery shall be allowed in Texas, of persons of African descent; and that all persons of that description now in Texas, and held as slaves, shall be respected as the property of their respective owners.

That citizens of this, who may be bound to those of foreign countries or debts contracted previous to their coming hither, shall, in respect to such debts, be protected from suits during a certain number of years.

That liberal appropriations of public land shall be made for the endowment of seminaries of learning and "other institutions of public utility;" and that all ordinances or laws, declaring as subject of confiscation or for-

feiture property of any description, shall be duly respected, and allowed to be carried out by the authorities of Texas.

The first provision of those instructions would affect the interest of the United States, upon her adopting Texas, only so far as concerns the public debts and grants of lands to settlers and soldiers; as the other laws referred to are of a municipal character, and relate principally to the internal policy of the State.

I discussed the *mode* in which these obligations should be complied with, as it is easy to see that all the liabilities of the Government, for its administration and the support of the war, must be paid entirely out of the proceeds of the lands. There were two ways proposed: first, to let the State satisfy all the demands by her own tribunals or auditors, and then turn the residuum of the public domain over to the United States; or, secondly, to let the latter take the whole encumbrances of the war, with all the lands, and pay the claimants, as our Government may direct.

The objection to the latter plan, on the part of the United States, would be, that those expenses and the extent of the liabilities are unknown, and cannot be ascertained; that a greater liberality would be claimed from them, in the interpretation of grants and other demands than would be expected from the State, whose citizens, for their own interest, would be obliged to adjust them upon more cautious and rigid rules; and, finally, that if the war is continued much longer, the sacrifices of the public land for the means of defence will leave no surplus beyond her debts.

That part which provides that locations of land shall not be deemed defective for any failure to comply with formal requisites, is, I believe, not consistent with public opinion, as great complaint is made against the tenure of lands by persons who have merely complied with some of the unimportant conditions of the grants, such as erecting a temporary cabin, and marking boundaries, and then have left the premises.

The very object of the grants, which was to induce actual settlements, and provide security by the increase of population, has, in this way, been often defeated; and the colonists, who have borne the burden of the troubles, have built up a society, and have made the country what it is by their labor, will be likely to insist that the lands of others, who have not acted in this good faith, shall be retained by the State, to increase her ability and resources.

The section which requires slavery to be allowed of persons of African derivation, refers to a limited toleration of it, as it exists in the United States. The constitution prohibits the importation of slaves, except from that country, and the President has, already, on the 3d of April last, issued his proclamation declaring that trade to be "destructive to national morals and to individual humanity," and requiring the public functionaries of the Government to be vigilant and active in arresting all persons and vessels attempting to contravene that article of the constitution. The proviso exempting the citizens of Texas for a limited time from suits for debts contracted previous to their coming here, is one of policy, and will rather be favorable to foreign creditors than otherwise, for the condition of emigrants must improve with their continuance in the country; and the stipulation that all ordinances of confiscations shall be respected, is profitable to whatever Governments may exist, as the quantity of public land will be augmented by the escheats from private hands.

But the desire of the people to be admitted into our confederacy is s

prevailing, that any conditions will be acceptable which will include the guaranty of a republican form of government, and will not impair the obligations of contracts. The old settlers are composed, for the most part, of industrious farmers, who are tired of the toils of war, and are anxious to raise up their families under the auspices of good laws, and leave them the inheritance of a safe and free government.

If we were permitted to view the future condition of this country under a continuance of present circumstances, or under those which must attend it as a part of Mexico, where it would remain subject to military despotism, and be kept back, like her own subjects, in the scale of civilization, for ages; and then compare it with the high station it would reach in industry, commerce, the arts, and social relations, under the annexation to our country; humanity would speedily dictate her redemption, and the philanthropy of nations give a sanction to the act.

The constitution has been very liberal in the appropriation of lands, and has placed the citizens who were living in the country at the date of the declaration of independence upon a footing with the old colonists, giving to every head of a family one league and *labōr*, and to every single man, of the age of seventeen and upwards, one-third of a league. The same instrument has been careful in protecting the State from large grants made to various individuals, some of whom were non-residents and aliens.

The public sentiment seems to be in accordance with those provisions, as they exclude large monopolies, which, it is said, have been illegally acquired without consideration and against the laws of colonization. The Legislature of Coahuila and Texas passed acts in 1834–'35, granting away, to a few persons, *eleven hundred leagues of land;* all of which, and every survey under them, are declared to be null and void.

The 4th article of the laws of colonization forbids the settlement of the "ten lateral leagues" on the coasts, and of the twenty leagues on the frontiers, adjoining a foreign nation; and yet grants were also made by the Legislature, in parcels of eleven leagues each: *they* are likewise denounced as illegal, and the authority over them will be resumed by the Government. This will affect many of our citizens *in* the United States, who have been led to purchase lands from supposed proprietors, claiming under irregular or conditional public grants.

The constitution precludes foreigners from holding lands, except by title direct from the Government, so that our countrymen at home should understand that the acquisition of such property here carries with it the penalty of expatriation.

I have now given you, in my several letters, information upon all the subjects that concern the present condition of this country in its several relations, and shall, in a few days, leave it, to return to Washington. I have taken copious notes from conversations with the officers of Government and intelligent settlers, the substance of which I shall communicate in person, or as the matter of a future despatch.

I have the honor to remain,

Your obedient servant,

HENRY M. MORFIT.

To the Hon. JOHN FORSYTH,

Secretary of State, Washington City.

TEXAS, *September* 14, 1836.

SIR: I intended any further communication about the country to have been left for a personal interview; but as there were several points which, though not strictly within my inquiries, were blended in my notes as exhibiting the views of citizens here upon interesting questions, I have thought it best to transcribe the whole in the form in which they stand.

The revolutionary history of Texas, as far as it has been published, is erroneous in the ascription of important measures to wrong periods of time, and in misstating the order of its progress.

From an original journal of the proceedings of the delegates in my possession, being the only one in the country, it appears that after the destruction of the constitution by General Santa Anna, the repeal of the colonization laws, and when the news reached Columbia that their citizens had been illegally imprisoned, the people of that jurisdiction held a meeting in August, 1835, and various resolutions were adopted, declaring that they would resist with force and arms any attempt to deliver their fellow-citizens into the hands of the military, and inviting the inhabitants of the different municipalities to elect delegates to devise measures for the relief of Texas. This was the first public act towards a separation from Mexico. The delegates were appointed, and on the 16th October, 1835, met at San Felipe de Anstin. The convention was termed the "Consultation of Texas," which on the 7th of November unanimously adopted a declaration of rights, setting forth the causes that induced the people to take up arms.

On the 10th of the same month, the plan of a provisional Government, to consist of a Governor, Lieutenant Governor, and Council, was adopted; and on the 12th the several officers were elected, and the oaths of office administered in presence of the consultation. The proceedings have been neither published nor fully copied, but the Comptroller of the Treasury is supervising the arrangement of them in proper form.

As all the steps of a new nation, from its political birth to the maturity of its being, are interesting to those who look upon history as an instructive species of philosophy, I have copied the captions of the most important of the manuscript ordinances, which I now present; and though principally of a fiscal nature, they are so many presages of future system.

The first acts of legislation by the provisional Government were to create a loan of $100,000. The next, to raise a regular army, and create a navy; one to regulate the militia, to purchase munitions of war, grant registers to vessels, organize auxiliary corps of volunteers; and one *requiring* the Governor to instruct commissioners to the United States of the north. On the 12th December, 1835, a General Post Office Department was created. The law was carried into effect by the appointment of a Post Master General, and various routes were established, which had got into partial operation, from the mouth of the Rio Brazo to the different frontier settlements. The system was interrupted by the incursion of the army, and is now only *beginning* to be renewed. The aggregate distance proposed in the courses was 1,536 miles in direct lines.

Duties on imports and tonnage were laid by several ordinances, and an act passed prohibiting the migration of free negroes and mulattoes into Texas. It is remarkable that the State attended to the regulation of its commercial revenue within a month after the establishment of a provisional Government, while that of the United States did not create a tariff for thirteen years after the declaration of its independence.

The "provisional Government," which contained the three separate ingredients of good policy, an executive, legislative, and judicial department, continued until March 2d, 1836, when a convention of delegates at Washington proclaimed the independence of Texas, and declared her "fully invested with all the rights and attributes which properly belong to independent nations." The same convention, on the 17th of March, adopted a constitution and provided for a Government *ad interim*, which took the place of the provisional Government; this constitution was confirmed by the voice of the people in their elections on the first Monday in this month, and the Government *ad interim* continues until the 2d Monday in December, when the President and Vice President elect will assume their constitutional duties, and thus perfect to that extent the intentions of the people.

The authority of sovereignty, even as to foreign nations, was very soon exercised by Texas after her provisional Government went into operation, and that, too, at the expense of some of our own citizens.

On the 2d of June last, the American schooner Watchman was captured in Copano bay, with a cargo of bread, rice, and beans.

On the 19th of the same month, the schooners Comanche and Fanny Butler, similarly laden, were taken in the same neighborhood, and the cargoes of all condemned by the prize court for "consisting of articles for the comfort and subsistence of the Mexican army."

The value of the Watchman's invoice was about -	$4,000 00
That of the Camanche's - - - - -	7,528 14
Of the Fanny Butler's - - - - -	8,664 56
Making, in all - - - -	$20,192 70

On the 21st July, the President proclaimed the blockade of Matamoras, the Brazos—Santiago, and all the neighboring estuaries. This included American vessels; and the trade, which is very considerable from our ports to the Rio Grande, particularly from New Orleans, was thus interrupted, and, indeed, cut off, until the 13th August, when, upon my representations, the decree was rescinded. These proceedings would give rise to three propositions: First, whether Mexico, so far from maintaining her ability to protect her own territory as required by the law of nations, has not failed in that duty, and extended the injury to the commerce of the United States. Secondly, whether, if Texas is not an integrant of Mexico, but a separate Government, Mexico has not directly violated her treaty of 1831, by allowing the subjects of an adjoining State to blockade her ports. And thirdly, if Texas is not a distinct Government, but still part of Mexico, whether the latter has not permitted her own subjects to commit acts in relation to the United States, which, strictly speaking, amount to a state of *imperfect* war.

Though early plans were laid to support the Government in part by imposts, they were never carried into effect: the whole community were engaged in one occupation, which was war; and, therefore, it would have been only crippling the cause of the country to have taxed the necessaries that were introduced.

Custom districts were established, and collectors appointed: but, by general consent, the Government acquiesced in the suspension of the law, and to this day every thing is practically free of duty. The consumption of

bread-stuffs, provisions, and clothing is very great; and they are nearly all drawn from the United States.

The products of Texas are principally cotton and corn; the former is the most cultivated, on account of its superior value: this year there will be less than 10,000 bales, but, if the country had been quiet, there would have been 50,000. Abundance of fine cattle is raised with very little difficulty, and the climate and soil are adapted to the usual grain of our own country.

It is said that the sugar-cane would thrive well here, but I should doubt it; though I believe, from personal observation, that the soil would yield abundant crops of indigo, and with little trouble.

The tonnage of Texas, as might be expected for a country so new, is very small. Heretofore, part of the trade was carried on in Mexican shipping, and then the amount was much greater; at present, they have not more than a dozen commercial vessels, including two or three steamboats.

I should say, that if this country were in a tranquil condition, with an industrious population peaceably engaged in the cultivation of their rich lands, the raising of cattle, which are so abundant, and the associated pursuits of a settled people, properly organized by the restraints and protection of good laws, it would become, in a few years, a market for as much English, French, and other foreign productions, as any State in our Union. The *rationale* of this would easily appear by carrying the mind through the vast region comprised within the limits of this country, looking to the population that must necessarily be drawn to it under a proper system, the proximity to our western and northwestern territory, and to the interior of Mexico itself, which, at no very distant day, may be furnished through this medium. But, as things now are, I doubt whether any of those fruits of good order will ever be matured.

The present government is as well administered as its resources and the appliances of the country will admit; but as it is just in its pupilage, with no strength but confidence in the cause, no help but that which sympathy gives, and is not yet harmoniously adjusted in the motions of its respective branches, it may still be considered a mere experiment upon independence, which the loss of friends or of a single battle may disperse to the winds.

In a former letter it was said that the residuum of public domain, after all deductions for military services and "head rights," would be one hundred millions of acres. That statement was made upon the views of the Secretary of the Treasury; since then, I have obtained an original estimate addressed to the Auditor by a scientific gentleman, who has officiated as a surveyor, in which he reports that Texas possesses 249,900 square miles, or 160 millions of square acres, and allows 80 millions to be taken up and covered with claims which amount, he says, "is too large, no doubt by one-half." This would leave 80 millions of acres unencumbered for the State, and, supposing only one-fourth of it to be available, would yield, at 50 cents per acre, ten millions of dollars. I should presume this calculation as to quantity is incorrect, as the Mexican Government supposed Texas proper to contain in 1835 only 104,500,000 acres, and the territory between the Nueces and the Rio Grande claimed by this country since then will hardly augment the quantity by 60 millions.

Texas, within the present limits, is nearly four times larger than the largest State in our Union, (Virginia,) and two hundred times larger than Rhode Island, the smallest.

The separation of Texas, as an independent State, from Mexico, it is said, will awaken the attention of some of the European powers against the slave trade, which her citizens will carry on; but it is contended that this assertion must fail, when it is seen that the constitution prohibits that commerce. Even if it did not, it is argued that it has been judicially settled in the highest tribunals in the United States and in England, that, whatever may be said against that traffic upon the score of the moral consequences, it has nevertheless been protected by the laws of all commercial countries, has been claimed by each, and allowed by each, and cannot, therefore, be considered as contrary to the law of nations. Those States, whose municipal enactments make that kind of commerce unlawful, can, of course, punish their own subjects who may be engaged in it; but they cannot interfere with the subjects of other powers found in that trade, although those nations have also prohibited it; because the civil tribunals of one country will not enforce the penal laws of another. But, apart from all international rights or jealousies on this question, the vindicatory sanctions of the law here, against the slave trade, are sufficient to suppress it, without the aid of distant powers.

The administration and people entertain no apprehension that any foreign nation will interfere in their contest with Mexico, as they rely upon the policy and example heretofore set by the United States and Great Britain, in the struggle between Spain and her revolted colonies; in which, both the former Governments protested against the right of the allied powers to interpose by forcible means.

Our Government went further, and held that any attempt to extend the *peculiar* political system of Europe to this continent would be considered dangerous to the peace of its own States. The Texans hold that the only exception to the rule against the rights of interfering by neutral nations, is, when it is in aid of the oppressed, and where the general interests of humanity are infringed by the outrages or evils of despotism; and that Texas, having for years suffered under that condition, is entitled, like the Greeks, to the commiseration of all civilized nations. They say that the revolutionary State of Mexico, since her separation from Spain, has been so boisterous in action, and so contradictory in policy, that, in examining how far this province has the right to a separate national existence, it necessarily involves the inquiry of whether Mexico herself has not ceased to possess a distinct sovereignty; that the material attributes of a nation are, ability to enforce the laws and protect her own institutions; that, even in cases of neutrality, where an abuse of the neutral territory proceeds from the weakness of the sovereign and her inability to defend it, the party injured acquires an authority, and may extend his jurisdiction over it; that much more so may that distinct portion of a large State which is found adhering to a written constitution, while the rest are separated into revolting factions, be entitled to an exclusive control over her own limits and people, because the State has not only failed to protect that particular portion of the country, but has taken part in a revolution to overthrow the very principles she was pledged to support. Texas, instead of rising in arms against Mexico, is said to have remained adhering to the republican system, while *Mexico* has deserted it.

Arguments are used, based upon the history of Mexico, to show that her citizens proper were never capable of appreciating liberty in its political American sense; and that her pretended institutions of liberal government and laws, from the time of her separation from Spain to the present day,